

seventh Monday after the first Monday in January of each year and may continue in session four (4) weeks; on the twenty-second Monday after the first Monday in January of each year and may continue in session four (4) weeks; on the fourth Monday after the first Monday in September of each year and may continue in session four (4) weeks.

"In the County of Ector on the eleventh Monday after the first Monday in January of each year and may continue in session three (3) weeks; on the twenty-sixth Monday after the first Monday in January of each year and may continue in session three (3) weeks; on the thirteenth Monday after the first Monday in September of each year and may continue in session three (3) weeks.

"In the County of Glasscock on the fourteenth Monday after the first Monday in January of each year and may continue in session one (1) week; on the eighth Monday after the first Monday in September of each year and may continue in session one (1) week."

Sec. 2. All processes and writs issued out of, and bonds and recognizances entered into and all grand or petit jurors drawn before this Act takes effect, shall be valid for and returnable to the next succeeding term of the District Court in and for the several counties as herein fixed, as though issued and served for such terms and returnable to and drawn for the same, and all such processes, writs, bonds and recognizances taken before or issued by the various counties affected by this Act shall be as valid as though no change has been made in the time of the holding of the terms of Court herein.

Sec. 3. It is further provided that if any Court in any county of the Seventieth Judicial District as same existed prior to the passage of this Act, shall be in session at the time this Act takes effect, such Court or Courts affected thereby shall continue in session until the term thereof shall expire under the provisions of existing laws, but thereafter the Court in such county or counties shall conform to the terms of this Act.

Sec. 4. All laws or parts of law in

conflict herewith be and the same are hereby repealed.

Sec. 5. The fact that the rearrangement of the terms of the District Court in the counties of Howard, Martin, Midland, Ector and Glasscock, as fixed in this bill, will aid measurably to the dispatch of business and economical administration of said Courts, avoiding delays in the transaction of business in said Courts, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### Minutes of Committee Meetings.

Minutes of Meeting of Committee on Agricultural Affairs, Held March 27, 1935.

#### Called Meeting.

Present: DeBerry, Sulak, Small, Poage, Beck, Duggan, Stone, Van Zandt, Neal and Hill.

Absent: None.

S. C. R. No. 29 was reported favorably with recommendation that it do pass by viva voce vote.

DICK DeBERRY, Secretary.

Minutes of the Senate Committee on Public Health—March 28, 1935.

#### Regular Meeting.

Present: Beck, Sanderford, Holbrook, Hornsby, Oneal, Rawlings, Small, and Davis.

Absent (excused): Redditt and Woodruff.

S. B. No. 364 was referred to a subcommittee of Small, Sanderford and Holbrook.

S. B. No. 467 was reported favorably.

CHARLES A. PARKER,  
Secretary.

#### FORTY-THIRD DAY.

(Continued)

Senate Chamber,  
Austin, Texas,  
March 29, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

**House Bill No. 11.**

Recurring business was the pending amendment by Senator Oneal to Committee Substitute as amended.

**Point of Order.**

Senator Holbrook raised the point of "no quorum."

A roll call was ordered.

The roll call disclosed a quorum.

**Present.**

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Shivers.
DeBerry.	Small.
Duggan.	Stone.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

**Absent.**

Hopkins.

**Absent—Excused.**

Fellbaum.	Regan.
Martin.	Sanderford.

**House Bill No. 11.**

Senator Poage had the floor on discussion of the amendment.

**Point of Order.**

Senator Davis raised the point of order that Senator Poage was discussing the "museum" feature of the Centennial and that question was not before the Senate.

The Chair, Senator Blackert presiding, overruled the point of order.

Senator Oneal moved the adoption of his amendment.

The motion prevailed by the following vote:

**Yeas—12.**

Beck.	Duggan.
Blackert.	Holbrook.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Woodruff.

**Nays—9.**

DeBerry.	Small.
Hornsby.	Stone.
Pace.	Sulak.
Poage.	Van Zandt.
Rawlings.	

**Present—Not Voting.**

Hill.

Westerfeld.

**Absent.**

Hopkins.  
Redditt.

Shivers.

**Absent—Excused.**

Fellbaum.  
Martin.

Regan.  
Sanderford.

Senator Oneal sent up the following amendments:

Amend Senate substitute for House Bill No. 11 by striking out of subdivision three (3) of item No. three (3), (second column, page 801 Senate Journal), the following:

"to be selected by the Texas Centennial Commission" and inserting after the word "members" in the fifth line of said subdivision three (3) the following:

"consisting of Dr. Eugene C. Barker, Dr. Chas. K. Hackett and Mr. L. W. Kemp."

ONEAL.

Read.

**Point of Order.**

Senator Van Zandt raised the point of order that the amendment was out of order, as it was contrary to public policy to legislate people into office, and contrary to the Constitution of the United States.

The Chair, Lieutenant Governor Walter F. Woodul, overruled the point of order.

**House Bill No. 11.**

On motion of Senator Oneal the amendment was adopted by viva voce vote.

Amend Senate substitute for H. B. No. 11 by inserting in subdivision three (3) of item three (3) immediately before the last sentence in said subdivision the following:

"All reports and recommendations of the Advisory Board of Texas Historians shall be in writing and a copy of each shall be kept as a public record by the Advisory Board and open to inspection of the public at all reasonable hours."

ONEAL.

Read and adopted.

Amend Senate substitute for H. B. No. 11 by striking out of subdivision No. three (3) of Item No. three (3), (column one, page 801 Senate Journal), the following:

"and referred by it to said Advisory Board for investigation and recommendation."

ONEAL.

Read and adopted.

Amend Substitute H. B. No. 11 by inserting immediately after Section 2 a section to be known as 2b, and to read as follows:

"Sec. 2b. There shall be appointed a Comptroller of the Texas Centennial Commission, who shall be appointed by a committee composed of the Comptroller of Public Accounts, the Attorney General and the Governor of the State of Texas, and who shall be a man who is recognized as an able accountant, and auditor, and who holds a certificate as a certified public accountant. The Comptroller of the Texas Centennial Commission shall be paid a salary of five thousand (\$5,000.00) dollars per annum, to be paid out of the funds of the Centennial Commission. It shall be the duty of the Comptroller of the Texas Centennial Commission to establish and maintain an adequate system of accounting for the expenditure of the funds herein appropriated; and to make a report of such expenditures to the Legislature and the Governor of the State of Texas at the end of each calendar year for the time of his appointment. Such report shall contain an itemized account of all expenditures, giving specific amounts paid for salaries and to whom paid and other expenditures and the periods of time for which such moneys were expended."

ONEAL.

Read and adopted.

Senator Burns sent up the following amendment:

Amend Rawlings substitute for H. B. No. 11.

By amending item No. 3—

By adding a new section to be numbered.....

The sum of \$50,500 is hereby set aside out of said funds hereby appropriated for the City of Huntsville, and the home of General Sam Houston and to repair the monument of General Sam Houston at Huntsville, Texas.

BURNS,  
REDDITT,  
BLACKERT,  
HOLBROOK.

Read.

Senator Burns moved the adoption of the amendment.

The motion prevailed by the following vote:

Yeas—15.

Beck.	Pace.
Blackert.	Rawlings.
Burns.	Redditt.
Cotten.	Shivers.
Duggan.	Stone.
Holbrook.	Sulak.
Moore.	Woodruff.
Neal.	

Nays—8.

Collie.	Hornsby.
Davis.	Poage.
DeBerry.	Small.
Hopkins.	Van Zandt.

Present—Not Voting.

Hill. Westerfeld.

Absent.

Oneal.

Absent—Excused.

Fellbaum.	Regan.
Martin.	Sanderford.

Senator Rawlings sent up the following amendment:

Amend the Rawlings amendment to H. B. No. 11, item number Four, by eliminating the words "histories of Texas," and insert in lieu thereof the words "historical writings of Texas."

RAWLINGS.

Read and adopted.

Senator DeBerry sent up the following amendment:

Amend H. B. No. 11 by changing in the Oneal amendment as adopted to item 3, the word "Senatorial" to the word "Representatives."

DeBERRY.

Read and pending.

Senator DeBerry moved the adoption of the amendment.

Senator Oneal had the floor and yielded to the Chair, who recognized Senator Redditt.

Senator Redditt asked unanimous consent to suspend the regular order of business and take up S. B. No. 97.

Point of Order.

Senator DeBerry raised the point of order that the Senator from Wichita had the floor and yielded to the Senator from Rusk to make a motion to recess.

Overruled.

Senator Woodruff was recognized on a privileged motion.

### Motion to Order Previous Question.

Senator Woodruff moved that the previous question be ordered on H. B. No. 11, and all amendments and speaking on the bill.

The motion was not seconded by the required number.

The Chair recognized Senator Redditt.

### Senate Bill No. 97.

Senator Redditt received unanimous consent to suspend the regular order of business to take up S. B. No. 97.

The Chair laid before the Senate on second reading:

By Senators Hopkins and Blackert:

S. B. No. 97, A bill to be entitled "An Act amending Chapter 18, Acts of the Third Called Session of the Forty-second Legislature by adding thereto Section 4-a so as to authorize building and loan associations to make loans under the terms and provisions of Title II of the National Housing Act and to except such loans from the limitations prescribed by said chapter, and declaring an emergency."

(With committee substitute.)

Senator Redditt explained the committee substitute.

The committee substitute was adopted by viva voce vote.

The bill was read second time as substituted and passed to engrossment by the following vote:

### Yeas—21.

Beck.	Pace.
Blackert.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Small.
Hill.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

### Nays—5.

Burns.	Holbrook.
Collie.	Shivers.
Cotten.	

### Absent—Excused.

Fellbaum.	Regan.
Martin.	Sanderford.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 97 was put on its third reading and final passage by the following vote:

### Yeas—23.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Davis.	Redditt.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

### Nays—2.

Collie.	Holbrook.
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### Absent.

Cotten.

### Absent—Excused.

Fellbaum.	Regan.
Martin.	Sanderford.

Read third time and finally passed by the following vote:

### Yeas—21.

Beck.	Pace.
Blackert.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Small.
Hill.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

### Nays—5.

Burns.	Holbrook.
Collie.	Shivers.
Cotten.	

### Absent—Excused.

Fellbaum.	Regan.
Martin.	Sanderford.

**Senators Excused.**

The following Senators were excused for the day on account of important business:

Senator Regan on motion of Senator Rawlings.

Senator Martin on motion of Senator Redditt.

Senator Sanderford on motion of Senator Redditt.

**Motion to Recess.**

Senator Hill at 12:10 o'clock p. m., moved that the Senate recess until 2 o'clock p. m.

Motion to recess pending.

**Senate Bill No. 474.**

Senator Duggan received unanimous consent to suspend the regular order of business and introduced the following local bill:

By Senator Duggan:

S. B. No. 474, A bill to be entitled "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts having fewer than ten scholastics and not having conducted a school for a period of five years; providing for the adjustment of bonded indebtedness and the distribution of funds; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

**House Bill No. 101.**

Senator Shivers received unanimous consent to have advance printing on H. B. No. 101.

**Substitute Motion to Recess.**

Senator Shivers moved as a substitute that the Senate recess until 10 o'clock Monday morning.

The substitute motion to recess failed by the following vote:

Yeas—7.

Beck.	Rawlings.
Collie.	Shivers.
Hopkins.	Stone.
Moore.	

Nays—18.

Blackert.	DeBerry.
Burns.	Duggan.
Cotten.	Hill.

Holbrook.  
Hornsby.  
Neal.  
Oneal.  
Pace.  
Poage.

Redditt.  
Small.  
Sulak.  
Van Zandt.  
Westerfeld.  
Woodruff.

Absent.

Davis.

Absent—Excused.

Fellbaum.  
Martin.

Regan.  
Sanderford.

**Recess.**

The motion to recess until 2 o'clock p. m., prevailed at 12:20 o'clock p. m.

**After Recess.**

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

**Point of Order.**

Senator Holbrook raised the point of order of "no quorum present."

A roll call was ordered.

The roll call developed "no quorum."

**Present.**

Beck.  
Blackert.  
Burns.  
Cotten.  
DeBerry.  
Duggan.  
Holbrook.  
Hornsby.  
Moore.

Neal.  
Oneal.  
Pace.  
Poage.  
Rawlings.  
Redditt.  
Stone.  
Van Zandt.

Absent.

Collie.  
Davis.  
Hill.  
Hopkins.  
Shivers.

Small.  
Sulak.  
Westerfeld.  
Woodruff.

Absent—Excused.

Fellbaum.  
Martin.

Regan.  
Sanderford.

**Call of the Senate.**

Senator Van Zandt moved that a call of the Senate be ordered to procure and maintain a quorum.

The motion was seconded by the required number.

#### Call of the Senate.

The Chair directed the Secretary to furnish the names of the absentee Senators to the Sergeant-at-Arms, and that the doors be closed and no one be allowed to leave, and the absent Senators be brought in.

#### Senate Called to Order.

The Chair at 2:10 o'clock p. m., called the Senate to order.

Senators Hill, Sulak, Westerfeld and Woodruff came in to make a quorum.

#### House Bill No. 11.

The question recurred on the adoption of the amendment by Senator DeBerry.

Senator Oneal had the floor.

Senator Oneal sent up the following amendment:

Amend the DeBerry amendment by adding after the word "District" in the Oneal amendment the following:

"provided application is made therefor and the Advisory Board of Texas Historians named herein recommend the same."

ONEAL.

Read and adopted.

The amendment by Senator DeBerry as amended was adopted by the following vote:

#### Yeas—9.

Burns.	Redditt.
Cotten.	Stone.
Hornsby.	Van Zandt.
Moore.	Woodruff.
Neal.	

#### Nays—9.

Beck.	Oneal.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Sulak.
Holbrook.	

#### Present—Not Voting.

Blackert.	Westerfeld.
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#### Absent.

Davis.	Shivers.
Hopkins.	Small.

#### Absent—Excused.

• Fellbaum.	Regan.
Martin.	Sanderford.

#### (Pair Recorded.)

Senator Pace (present) who would vote nay, with Senator Collie (absent) who would vote yea.

The Chair voted "yea" to adopt.

Senator Rawlings sent up the following amendment:

Amend the Rawlings substitute for H. B. No. 11 (page 800, Senate Journal of March 25, 1935) by striking out all of paragraph (4) under Item Number One, and substitute in lieu thereof the following:

"(4) The permanent exposition buildings to be erected upon the Centennial site in the City of Dallas for the Central Exposition shall be constructed under the management, supervision, and direction of the Board of Control, upon plans and specifications furnished and approved by the Texas Centennial Central Exposition, a corporation; and upon land the title of which shall be in the State of Texas. The Texas Centennial Central Exposition, a corporation, shall have the right to, possession of, and the free use and occupancy of said buildings for the duration of the Centennial Exposition, provided, however, that the aforesaid buildings and the land on which they will be situated are hereby leased by the State of Texas to the City of Dallas for a period of twenty years commencing at the termination of the Central Exposition, at a rental of One Hundred (100) Dollars per year for each of said buildings, said rental to be payable annually in advance. During the term of such lease, said buildings shall be used for public purposes, including annual State expositions, and shall not be maintained or operated for purposes of private gain or profit; there shall be no charge imposed upon any exhibitor in any of said buildings for exhibit space, and there shall be no admission charge for spectators. The cost of an adequate amount of fire and tornado insurance covering said buildings, and the reasonable cost of maintenance of said buildings, shall be paid by the Texas Centennial Central Exposition, a corporation, until the termination of said Central Exposition. From and after that date, the cost of such insurance and maintenance shall be paid by the aforesaid lessee, the City of Dallas."

RAWLINGS.

Read.

Senator Moore sent up the following amendment:

Amend the amendment by adding before the first semicolon after the word corporation the words "and approved by the Board of Control."

MOORE.

Read.

#### Motion to Table.

Senator Rawlings moved to table the amendment by Senator Moore.

The motion to table prevailed by the following vote:

Yeas—14.

Cotten.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Small.
Neal.	Stone.
Oneal.	Sulak.

Nays—7.

Beck.	Van Zandt.
Burns.	Westerfeld.
DeBerry.	Woodruff.
Moore.	

Absent.

Blackert.	Hopkins.
Collie.	Shivers.
Davis.	

Absent—Excused.

Fellbaum.	Regan.
Martin.	Sanderford.

The amendment by Senator Rawlings was adopted by the following vote:

Yeas—15.

Burns.	Poage.
Cotten.	Rawlings.
Duggan.	Redditt.
Holbrook.	Small.
Hornsby.	Stone.
Moore.	Sulak.
Neal.	Westerfeld.
Oneal.	

Nays—3.

Hill.	Woodruff.
Van Zandt.	

Present—Not Voting.

Beck.	Pace.
DeBerry.	

Absent.

Blackert.	Hopkins.
Collie.	Shivers.
Davis.	

Absent—Excused.

Fellbaum.	Regan.
Martin.	Sanderford.

Senator Rawlings sent up the following amendments:

Amend the Rawlings substitute for House Bill No. 11 (page 800, Senate Journal of March 25, 1935) by striking out all of paragraph (2) of Item Number One, and substitute in lieu thereof the following:

"In no event shall the funds appropriated by this Act be available unless and until the Executive Committee of the Texas Centennial Commission has filed with the Comptroller of the State of Texas a resolution approving the plans of the Texas Centennial Exposition, a corporation, for the celebration at Dallas, and certifying further that said Central Exposition has the ability and intention and good faith to carry out the plans."

Said Amendment No. 2 to be inserted in the General Provisions, and to be numbered paragraph (6) under the General Provisions of this bill.

RAWLINGS.

Read.

#### Motion to Table.

Senator Moore moved to table the amendment.

The motion prevailed by viva voce vote.

Amend the Rawlings substitute for H. B. No. 11 (page 800, Senate Journal of March 25, 1935) by adding a new section under "General Provisions", to be numbered section ..., to read as follows:

"Section..... When the application of any community for funds to be expended for conducting pageants, expositions, celebrations, or for any other purpose herein authorized, is granted, it shall be the duty of the Centennial Commission or the executive committee of such commission, as the case may be, to immediately certify in writing the granting of such application. The original, or a certified copy of the order granting such allocation, shall be filed with the Comptroller of the State of Texas, which shall be authority for

the Comptroller to turn over to the agency designated by such community for the handling and expenditure of such funds, the sums thus allocated. Such community and/or the agency handling the expenditure of such funds shall be required under rules and regulations of the Centennial Commission to file a verified report with such commission showing the disposition of such funds, and, if any such funds remain unexpended under such allocation, they shall be returned to the Commission at the time of the filing of such report. Provided, however, neither the Centennial Commission nor the Executive Committee shall have any control over the expenditure of the funds allocated to local communities for the purposes specified in this Act after such allocation has been made and certified to as herein provided, but the expenditure of the same shall be under the control and discretion of such communities or agencies designated as aforesaid."

## RAWLINGS.

Read.

Senator Moore sent up the following amendment to the amendment by Senator Rawlings:

Amend the Rawlings amendment by adding thereto the following:

"Provided that the Commission and committee must approve applications made pursuant to specific appropriations made in this Act.

MOORE.

Read and adopted.

## Motion to Table.

Senator Van Zandt moved to table the Rawlings amendment as amended.

The motion to table prevailed by the following vote:

Yeas—14.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
DeBerry.	Poage.
Duggan.	Redditt.
Holbrook.	Sulak.
Hornsby.	Van Zandt.

Nays—7.

Cotten.	Small.
Hill.	Stone.
Pace.	Woodruff.
Rawlings.	

Present—Not Voting.

Westerfeld.

Absent.

Collie.  
Davis.

Hopkins.

Absent—Excused.

Fellbaum.  
Martin.  
Regan.Sanderford.  
Shivers.

Amend the Rawlings substitute for H. B. No. 11 (page 803, Senate Journal of March 25, 1935) by striking out all of Section 4, and substituting in lieu thereof the following:

"Sec. 4. The fact that a very brief time now remains for said Texas Centennial Commission to prepare for the holding of a Texas Centennial celebration on a scale commensurate with the glorious history of our State, the patriotism of our people, and the progress of the past century, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House and the constitutional rule requiring bills to take effect and go into force ninety days after adjournment of the session, be suspended, and said rules are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

RAWLINGS.

Read.

The amendment was adopted by the following vote:

Yeas—17.

Beck.	Oneal.
Burns.	Pace.
Cotten.	Rawlings.
Duggan.	Redditt.
Hill.	Small.
Holbrook.	Sulak.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—5.

Blackert.	Stone.
DeBerry.	Van Zandt.
Poage.	

Absent.

Collie.  
Davis.Hopkins.  
Shivers.

Absent—Excused.

Fellbaum.  
Martin.Regan.  
Sanderford.



Senator Small sent up the following amendment:

Amend the substitute by striking out all of paragraph (1) of item Five and inserting the following:

(1) The sum of seven hundred fifty thousand dollars or so much thereof as is necessary, is hereby designated and set apart out of the total appropriation herein made to conduct a nation wide publicity campaign in behalf of all Texas in connection with the Centennial Celebration, provided that out of this fund the sum of seventy-five thousand dollars, or so much thereof as is necessary, may be used for general administrative expense of the Centennial Celebrations. The funds so designated and set apart shall be available to and may be expended by the Executive Committee of the Centennial Commission for the payment of accounts legally contracted and approved by said executive committee for the purposes above stated. Said funds shall be paid out on warrants drawn on the State Treasury which shall be signed by the chairman of the said executive committee, countersigned by the secretary, and approved by the Comptroller of the Centennial Commission.

SMALL.

Read.

Senator Woodruff sent up the following amendment:

Amend the Small amendment by inserting "The Texas Centennial Commission" instead of "the Executive Committee" wherever the latter occurs.

WOODRUFF.

Read.

#### Motion to Table.

Senator Small moved to table the amendment by Senator Woodruff.

The motion prevailed by viva voce vote.

The amendment by Senator Small was lost by the following vote:

#### Yeas—10.

Cotten.	Rawlings.
Duggan.	Redditt.
Hopkins.	Small.
Oneal.	Van Zandt.
Pace.	Westerfeld.

#### Nays—10.

Beck.	Neal.
Blackert.	Poage.
DeBerry.	Stone.
Hornsby.	Sulak.
Moore.	Woodruff.

#### Present—Not Voting.

Hill.

#### Absent.

Burns.

Holbrook.

Collie.

Shivers.

Davis.

#### Absent—Excused.

Fellbaum.

Regan.

Martin.

Sanderford.

The Chair voted "nay" on adoption.

#### Senator Excused.

Senator Small asked to be excused for the remainder of the day on account of important business.

The Chair excused Senator Small.

Senator Stone sent up the following amendment:

Amend Rawlings substitute by adding at end of subdivision 1 the following:

"Out of the sum of \$1,000,000.00, there is appropriated \$75,000.00 to pay for the construction of necessary improvements and holding proper celebration at State park at Old Washington on the Brazos.

STONE.

Read and pending.

#### Motion to Order Previous Question.

Senator Woodruff moved that all Senators be allowed to send up all their amendments and that the previous question be ordered on the Rawlings amendment to the committee substitute, and all pending amendments.

#### Previous Question Ordered.

The motion was seconded by the required number.

The motion prevailed by viva voce vote.

#### Motion to Recess.

Senator Pace, at 4:15 o'clock p. m., moved that the Senate recess until 10 o'clock a. m. Monday.

The motion lost by viva voce vote.

The pending amendment by Senator Stone was adopted by viva voce vote.

Senator Redditt sent up the following amendments.

Amend Rawlings substitute for committee substitute for H. B. No. 11 by adding a new section as follows:

Section . . . . . Out of the funds herein appropriated, the sum of fifty thousand (\$50,000) dollars shall be expended in Nacogdoches County, Texas, for the rebuilding and preser-

vation of the "Old Stone Fort" and other historical places in said county, and for an appropriate celebration, and of the amount appropriated herein, fifteen thousand (\$15,000) dollars, or so much thereof as is necessary, is hereby appropriated for a suitable monument or memorial for Stephen F. Austin to be located at Stephen F. Austin State Teachers College at Nacogdoches, Texas.

REDDITT.

Read and adopted by viva voce vote.

### Vote Recorded.

Senator DeBerry asked to be recorded as voting "nay" on the adoption of the amendment by Senator Stone and the amendment by Senator Redditt.

Amend Rawlings' substitute for committee substitute for H. B. No. 11 by adding a new section as follows:

Section —. Out of the funds herein appropriated, the sum of Twenty-five Thousand (\$25,000) Dollars shall be expended in San Augustine County, Texas, for the rebuilding of the Mission Nuestra Senora De Los Delores, and other historical places, including the rebuilding of the first Protestant Church in Texas, in San Augustine County.

REDDITT.

Read.

The amendment was adopted by the following vote:

### Yeas—11.

Beck.	Rawlings.
Blackert.	Redditt.
Cotten.	Stone.
Hopkins.	Sulak.
Moore.	Woodruff.
Pace.	

### Nays—6.

Duggan.	Neal.
Holbrook.	Poage.
Hornsby.	Van Zandt.

### Present—Not Voting.

Hill.	Westerfeld.
Oneal.	

### Absent.

Collie.	Shivers.
Davis.	

### Absent—Excused.

Fellbaum.	Sanderford.
Martin.	Small.
Regan.	

### (Pair Recorded.)

Senator DeBerry (present) who would vote nay, with Senator Burns (absent) who would vote yea.

Amend Rawlings' substitute for committee substitute for H. B. No. 11 by adding a new section as follows:

Section —. Out of the funds herein appropriated, the sum of Twenty-five Thousand (\$25,000) Dollars shall be expended in Sabine County for the erection of a suitable monument at Pendleton, the gateway of Texas, and for the rebuilding of "McMahan's Chapel," a Methodist Church constructed in 1838; and out of this appropriation, a sufficient amount shall be used for erecting a suitable monument for Reverend Littleton Fowler who was buried at McMahan's Chapel and who was the first Chaplain of the Senate of Texas.

REDDITT.

Read.

The amendment lost by the following vote:

### Yeas—7.

Beck.	Rawlings.
Hopkins.	Redditt.
Moore.	Woodruff.
Pace.	

### Nays—8.

Cotten.	Neal.
Duggan.	Oneal.
Holbrook.	Poage.
Hornsby.	Van Zandt.

### Present—Not Voting.

Hill.	Sulak.
Stone.	Westerfeld.

### Absent.

Blackert.	Davis.
Collie.	

### Absent—Excused.

Fellbaum.	Sanderford.
Martin.	Shivers.
Regan.	Small.

### (Pair Recorded.)

Senator DeBerry (present) who

would vote nay, with Senator Burns (absent) who would vote yea.

Amend Rawlings' substitute for H. B. No. 11 by adding a new section as follows:

Section .... It is expressly provided that the Centennial Commission of Texas and/or any officer, agent, employee, or any of the agencies of any kind or character administering the funds of this Act, or the funds derived from any other source, shall not have any authority to pay any salary, wages or commissions to any employee, officer or agent employed that shall be greater in amount than the amount appropriated by the Forty-third Legislature of the State of Texas at its Regular Session for the support of the departments of government, for any one position, employee or officer, said bill known as H. B. No. 167, shown as Chapter 166 of the Acts of the Forty-third Legislature, Regular Session, and it is expressly provided that any compensation or wages fixed shall not exceed the limits fixed for the same or similar opposition as specified by said appropriation bill.

**REDDITT.**

Read and adopted.

Senator Burns sent up the following amendments:

Amend Rawlings' substitute for H. B. No. 11 by adding a new section as follows:

Section .... The Centennial Commission of the State of Texas, or the commission or agency charged with the handling of the Texas Centennial, is expressly prohibited from employing any person or persons who have not been, at the time of said employment, bona fide citizens of the State of Texas for a period of over five years, except and unless authorized by the Board of Control of the State of Texas.

**BURNS.**

Read and failed of adoption.

Amend Rawlings' substitute for H. B. No. 11, by adding a new section as follows:

Section .... It shall be unlawful for any member of the Centennial Commission or any member of the Centennial Commission Advisory Board and/or Central Exposition Board to charge, receive or obtain, directly or indirectly any fee, commission, retainer, or brokerage, out of any fund or funds received by the Centennial Commission or paid by

the Exposition directly or indirectly; and no member of the Centennial Commission or the Centennial Commission Advisory Board and/or the Central Exposition Board shall have any interest in any land, materials, concession or contracts sold to or made with either the Centennial Commission or the Centennial Commission Advisory Board and/or the Central Exposition Board or any individual or committee represented by any member of said commission or advisory board. Violation of this provision shall be a misdemeanor and violation thereof shall be punishable by removal from such commission or advisory board and by fine of not less than One Hundred (\$100.00) Dollars or six months confinement in jail or by both such fine and jail sentence.

**BURNS.**

Read and adopted.

Amend Rawlings' substitute for H. B. No. 11, by adding a new section as follows:

Section .... No part of the funds herein appropriated shall be used or expended by the Centennial Commission or by any committee or member thereof, nor by any other committee, individual, community, corporation or political subdivision for the erection of permanent buildings or other structures upon any land or lands, the title to which land or lands is not vested in the State of Texas.

**BURNS.**

Read.

The amendment was adopted by the following vote:

Yeas—12.

Beck.	Oneal.
Cotten.	Poage.
DeBerry.	Redditt.
Hornsby.	Sulak.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—8.

Blackert.	Pace.
Duggan.	Rawlings.
Holbrook.	Stone.
Hopkins.	Van Zandt.

Present—Not Voting.

Hill.

Absent.

Collie.

Davis.

## Absent—Excused.

Burns.	Sanderford.
Fellbaum.	Shivers.
Martin.	Small.
Regan.	

Amend Rawlings' substitute for H. B. No. 11, by adding a new section as follows:

Section \_\_\_\_ It is further expressly in appropriated, or funds derived from any other source, shall not be used for traveling expenses beyond the territorial limits of the United States, and can be used only for traveling expenses outside of the State of Texas only in the event approval is given therefore by the State Board of Control of the State of Texas.

BURNS.

Read and failed of adoption.

Senator Hopkins sent up the following amendment:

Amend Rawlings substitute for H. B. No. 11, Item 3, at end of first sentence, by adding the following, viz:

"Out of this allocation there is hereby appropriated for the purpose of adequately commemorating the history of The Lexington of Texas in Gonzales County, the sum of \$75,000.00," and the Texas Centennial Commission is hereby so instructed.

HOPKINS.

Read and adopted.

## Vote Recorded.

Senator DeBerry asked to be recorded as voting "nay" on the adoption of the amendment by Senator Hopkins.

Senator Burns sent up the following amendments:

Amend the Rawlings substitute by adding at the end of subdivision (1), Item Number Three the following:

"Out of such \$1,000,000, the sum of \$300,000 or so much thereof as may be necessary, shall be used for a celebration at or near the Alamo in Bexar County, Texas."

MOORE,  
BURNS,  
SANDERFORD,  
SHIVERS,  
HORNSBY,  
REDDITT,  
HOLBROOK.

Read and adopted.

Amend Rawlings' amendment to H. B. No. 11, at the end of Section One, Item No. 3, by adding the following:

"1. For suitable memorial for Richard Ellis in Bowie County, Texas, fifteen thousand dollars."

"2. For suitable memorial for the City of Jefferson in Marion County, Texas, fifteen thousand dollars."

"3. Provided that the moneys herein appropriated shall be expended by the commissioners' courts of said counties herein mentioned."

BECK.

The amendment was adopted by the following vote:

Yeas—13.

Beck.	Pace.
Blackert.	Rawlings.
Cotten.	Redditt.
Duggan.	Stone.
Hopkins.	Sulak.
Moore.	Woodruff.
Neal.	

Nays—4.

Holbrook.	Poage.
Hornsby.	Van Zandt.

Present—Not Voting.

Hill.	Westerfeld.
Oneal.	

Absent—Excused.

Collie.	Regan.
Davis.	Sanderford.
Fellbaum.	Shivers.
Martin.	Small.

(Pair recorded.)

Senator DeBerry (present) who would vote nay, with Senator Burns (absent) who would vote yea.

Amend Rawlings substitute for H. B. No. 11, by amending Item Number Three, by adding a new Section 1C:

"The sum of \$12,000 is hereby set aside out of said fund hereby appropriated for the building and erection of a monument to David Crockett, at Crockett, Texas."

BURNS,  
BLACKERT,  
HOLBROOK,  
REDDITT.

Read.

Failed of adoption.

Amend Rawlings substitute for H. B. No. 11, by adding another section, being Section 1-B of Item 3, reading as follows:

"Section 1-B. The sum of Twenty Thousand (\$20,000.00) Dollars or as much thereof as may be necessary, shall be expended on the development and beautification, and improvement of State Park at San Felipe, Texas; the sum of Two Thousand Dollars (\$2,000.00), shall be expended in the erection of a suitable marker at Columbus, Texas, the place where the first District Court was held in Texas; the sum of Two Thousand (\$2,000.00) Dollars shall be expended in the erection of a suitable marker at Yoakum, Texas, in memory of the Trail Drivers of the early days of Texas."

SULAK,  
BLACKERT,  
BURNS.

Read and the amendment was adopted by the following vote:

Yeas—10.

Beck.	Rawlings.
Blackert.	Redditt.
Holbrook.	Stone.
Moore.	Sulak.
Pace.	Woodruff.

Nays—7.

Cotten.	Oneal.
Duggan.	Poage.
Hornsby.	Van Zandt.
Neal.	

Present—Not Voting.

Hill.	Westerfeld.
Hopkins.	

Absent.

Davis.

Absent—Excused.

Collie.	Sanderford.
Fellbaum.	Shivers.
Martin.	Small.
Regan.	

(Pair Recorded.)

Senator DeBerry (present) who would vote nay, with Senator Burns (absent) who would vote yea.

Amend substitute for H. B. No. 11, by adding at the end of Section 1, Item 3, another Section 1-A.

"Section 1-A. The sum of Fifty Thousand (\$50,000.00) Dollars, or as much thereof as may be necessary, shall be expended on the enlargement, improvement and beautification of the State Park on Monument Bluff, at La Grange, Texas, in memory of the men of Dawson and of Mier."

SULAK,  
BLACKERT,  
HOLBROOK,  
BECK,  
BURNS.

Read and adopted.

Amend Section 1, Item Number One of the Rawlings amendment to C. S. for H. B. No. 11, by striking out the words "funds or appropriate facilities by the community proposing to hold such celebration," and insert in lieu thereof the following:

"a cash contribution in not less than an equal sum."

WOODRUFF.

Read.

The amendment was lost by the following vote:

Yeas—8.

DeBerry.	Poage.
Hill.	Sulak.
Oneal.	Van Zandt.
Pace.	Woodruff.

Nays—10.

Beck.	Hornsby.
Blackert.	Moore.
Cotten.	Rawlings.
Duggan.	Redditt.
Holbrook.	Stone.

Present—Not Voting.

Neal.	Westerfeld.
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Absent.

Hopkins.

Absent—Excused.

Burns.	Regan.
Collie.	Sanderford.
Davis.	Shivers.
Fellbaum.	Small.
Martin.	

Amend Rawlings substitute for H. B. No. 11, by amending Item Number Three, by adding a new Section 1-B.

"Section 1-B. The sum of \$25,-

000 is hereby set aside out of said fund hereby appropriated for the Alabama Indians in Polk County, Texas."

BURNS,  
BLACKERT,  
HOLBROOK,  
REDDITT.

Read and failed of adoption.

Amend Rawlings amendment for C. S. for H. B. No. 11, by adding a new section as follows:

Sec. —. The State Health Officer shall have supervision of public health and sanitation, and shall enforce all sanitary laws of Texas insofar as they apply to all the activities of the Texas Centennial, and all necessary expenses therefor shall be paid out of the Centennial Funds appropriated herein for the Central Exposition of Dallas. It is further expressly provided that before the Texas Centennial celebration is officially opened, the State Board of Health of the State of Texas shall certify as to the purity of the water supply of Dallas, Texas, and to further certify as to the sanitary conditions of all hotels and rooming houses of the City of Dallas, and shall further certify as to sanitary conditions of the entire city of Dallas, it being the purpose and intention of the Legislature to safeguard the health of not only the citizens of Dallas but all of the visitors to the celebration.

BURNS.

Read and failed of adoption.

Senator Van Zandt sent up the following amendments:

#### Amendment No. 1.

Amend substitute to H. B. No. 11, by striking out the words and figures "Three Million Five Hundred and Fifty Thousand Dollars (\$3,550,000) and inserting in lieu thereof the words and figures "Three Million Fifty Thousand Dollars (\$3,050,000)."

VAN ZANDT,  
DeBERRY,  
COTTEN.

Read.

The amendment by Senator Van Zandt was adopted by the following vote:

Yeas—18.

Blackert.	Oneal.
Cotten.	Pace.
DeBerry.	Poage.
Duggan.	Redditt.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.

Nays—1.

Rawlings.

Present—Not Voting.

Beck.

Absent—Excused.

Burns.	Regan.
Davis.	Sanderford.
Fellbaum.	Shivers.
Martin.	Small.

(Pair Recorded.)

Senator Moore (present) who would vote nay, with Senator Collie (absent) who would vote yea.

Amend H. B. No. 11 in the Rawlings substitute as follows:

1. By striking out all of Item No. 2.

2. By striking out the words and figures "One Million (\$1,000,000)" in Item No. 3, and substitute in lieu thereof the words and figures Seven Hundred Fifty Thousand (\$750,000).

3. By changing the totals to conform with the above amendments and re-numbering the items to conform therewith.

VAN ZANDT,  
DeBERRY,  
COTTEN.

Read.

The amendment was lost by the following vote:

Yeas—9.

Cotten.	Pace.
DeBerry.	Redditt.
Duggan.	Van Zandt.
Holbrook.	Woodruff.
Hornsby.	

Nays—11.

Beck.	Hopkins.
Blackert.	Neal.
Hill.	Oneal.

Poage.  
Rawlings.  
Stone.

Sulak.  
Westerfeld.

Absent—Excused.

Burns.  
Davis.  
Fellbaum.  
Martin.

Regan.  
Sanderford.  
Shivers.  
Small.

(Pair Recorded.)

Senator Moore (present) who would vote nay, with Senator Collie (absent) who would vote yea.

Senator Cotten sent up the following amendment:

Amend the Rawlings substitute for H. B. No. 11 by adding thereto a new section to be known as Section , to read as follows:

"Fifteen per cent (15%) of the gross receipts received from all purposes by the Texas Centennial Commission, and/or its agency or agencies shall be paid into the Treasury of the State of Texas for the benefit of the General Fund. By gross receipts is meant all monies coming from admissions, concessions, privileges, rentals, leases, and any and all other sources from which any funds may be derived. The State of Texas shall have a first and prior lien on all gross receipts as above referred to until said fifteen per cent (15%) is paid into the Treasury of the State of Texas. The said Centennial Commission and/or its agency or agencies shall keep an accurate record of all receipts earned as a result of said Central Centennial Celebration, and on the first day of each and every month after said exposition has gotten under way the said commission shall report to the Treasurer of the State of Texas, giving in detail the total amount of gross receipts, and said report shall be accompanied by a certified check for an amount equal to fifteen per cent (15%) of said gross receipts."

COTTEN.

Read.

The amendment was lost by the following vote:

Yeas—7.

Beck.  
Blackert.  
Cotten.  
DeBerry.

Moore.  
Pace.  
Woodruff.

Nays—12.

Duggan.  
Hill.  
Holbrook.  
Hornsby.  
Neal.  
Poage.

Rawlings.  
Redditt.  
Stone.  
Sulak.  
Van Zandt.  
Westerfeld.

Present—Not Voting.

Hopkins.

Oneal.

Absent—Excused.

Burns.  
Collie.  
Davis.  
Fellbaum.  
Martin.

Regan.  
Sanderford.  
Shivers.  
Small.

Senator DeBerry sent up the following amendment and asked that it be read.

Senator Stone asked unanimous consent that further reading be dispensed with and that Senator DeBerry be allowed to explain briefly.

There was objection.

Amend H. B. No. 11 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the sum of Three Million and Fifty Thousand Dollars (\$3,050,000.00) be and the same is hereby appropriated out of the General Revenue Fund of the State of Texas not otherwise appropriated for the establishment, operation and maintenance of the Texas Centennial Celebrations as hereinafter described and defined (all such celebrations to be held during the Centennial year 1936) during the period beginning February 1, 1935, and ending December 31, 1936. In no event shall the funds herein provided be available unless and until the Texas Centennial Commission through its Executive Committee has filed with the Comptroller of the State of Texas a resolution approving the plans of the Texas Centennial Central Exposition for the central celebration at Dallas, and certifying further that said central exposition has the ability and intention in good faith to carry out said plans.

Sec. 2. This Act shall be supplemental to the Act passed by the Second Called Session of the Forty-third Legislature, creating a Texas Centennial Commission and cumula-

tive thereof, except that such parts of this Act as are in direct conflict with said creating Act shall hereby specifically repeal and supersede such conflicting parts of said creating Act. Provided this Act does not repeal the requirement in Second Called Session, Forty-third Legislature, requiring the Centennial Commission to repay to the State of Texas the One Hundred Thousand Dollars (\$100,000.00) appropriated in creating said commission.

Sec. 3. Centennial celebrations shall be held at such places (including the places designated in the aforesaid Act creating the Texas Centennial Commission) as said Texas Centennial Commission shall determine; the authority to make such determination being hereby delegated to said Commission. Said commission, in passing upon the application of any locality for a celebration, shall take into consideration whether such locality has such historical significance as will justify the holding of such celebration, and also such locality's accessibility and local facilities and financial ability to contribute local funds. Within the term "celebration" as used in this Act with reference to all places herein named except the City of Dallas, is included the following: The placing of suitable markers at places where historic events occurred; the restoring at no great expense of all or parts of old houses, forts, and other old structures connected with the history of the territory now embraced within the State of Texas; the placing of monuments to early patriots of Texas if such monuments have not heretofore been erected; the purchasing at no great expense of small tracts of land where necessary for the restoration hereinbefore mentioned, or for the monuments mentioned; and the staging of pageants at appropriate places; provided that in the matter of pageants the Texas Centennial Commission may require a contribution by each local community which may be substantial and proportionate to the amount allowed by the Commission; provided further that in requiring such contributions in the matter of pageants the Texas Centennial Commission may take into consideration the amounts already expended by each local community in preserving their historical spots. Provided, however, that the Commission shall

not have authority to compel contributions or matching of funds for historical celebrations and markings in counties containing no city of more than 25,000 population. Provided further, however, that the Commission may accept contributions from any community.

Sec. 4. There is hereby created an Advisory Board of Texas Historians to be selected by the Texas Centennial Commission, consisting of three (3) members, whose duty it shall be to investigate and report upon and make recommendation to the Texas Centennial Commission as to the authenticity of the claims for Centennial celebrations, as that term is hereinbefore defined, of the various places which shall apply to said Commission therefor, and as to the relative merits of such claims, and as to the kind and character of celebration, as that term is hereinbefore defined, if any, to which each such place so applying should be entitled, and as to the advisability of all the various expenditures proposed by said applicant or contemplated by said Texas Centennial Commission and referred by it to said Advisory Board for investigation and recommendation. In all cases the Texas Centennial Commission shall have final decision and jurisdiction in the matter of the above celebrations and observances and the expenditures relative thereto. The Centennial Commission and the Advisory Board of Texas Historians must seek the advice and co-operation of the local Centennial Advisory Board in any county applying for recognition.

Sec. 5. The Legislature of the State of Texas hereby allocates the money herein appropriated in the following manner:

The sum of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be used for the erection of specific buildings upon the site of the Centennial Central Exposition in the City of Dallas. Provided that in the employment of laborers and artisans in the construction of such buildings the Centennial Commission shall provide that the work shall be done with Texas laborers and materials, and that the other cities of Texas shall not be discriminated against in favor of Dallas.

The sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be neces-



sary, shall be used to equip, fit out, and furnish such buildings.

The sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary, shall be used by the Texas Centennial Commission to defray the expenses, or the portion thereof above the amount paid by local funds, of Centennial celebrations, as that term is hereinbefore broadly defined, outside of the City of Dallas and within the State of Texas. It is further provided herein that the Centennial Commission is hereby directed to expend an appropriate amount of the sum herein appropriated for the purpose of erecting at some suitable place in Texas to be selected by the Commission, a memorial to the pioneer womanhood of this State, same to be paid out of the aforementioned fund. On all buildings or projects constructed with funds appropriated by this Act the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature, shall apply to wages paid. Providing that Fifty Thousand Dollars (\$50,000.00) be added to the Three Million Dollars (\$3,000,000.00) herein appropriated which shall be used for the purpose of having written authoritative histories of Texas and a "Dictionary of Texas Biography" and other historical writings. Said Fifty Thousand Dollars (\$50,000.00) to be expended under the direction of the Texas Centennial Commission and according to rules and regulations promulgated by said Commission.

The sum of Seven Hundred and Fifty Thousand Dollars (\$750,000.00), or so much thereof as may be necessary, shall be used by the Texas Centennial Commission to pay all general administrative expenses, and to conduct and finance a nationwide publicity campaign in behalf of all Texas, relative to said Centennial during the period beginning February 1, 1935, and ending December 31, 1936. Provided, however, that not more than ten (10) per cent of said Seven Hundred and Fifty Thousand Dollars (\$750,000.00) general advertising and administrative expense fund shall be used for a direct administration expense, the balance of which shall be used for advertising of the Texas Centennial. No part of the funds herein appropriated shall be expended for salary or expenses, directly or otherwise, for envoys out-

side of Continental North America. No person working or serving in any capacity under the direction, or supervision of the Centennial Commission shall receive as salary, commission, or compensation out of State funds, more than Five Thousand Dollars (\$5,000.00) per year.

No part of any one of said funds shall at any time be used for the purpose of any other one or more of said funds; provided that in no event shall more than One Million Two Hundred and Fifty Thousand Dollars (\$1,250,000.00) of said funds be expended for the erection and/or equipment of buildings upon the site of the Centennial Central Exposition in the City of Dallas.

The Centennial Commission and the Board of Control are hereby prohibited from contracting for the purchase or acquirement by lease or otherwise of real estate unless and until the deeds, records and all other necessary legal documents incident thereto have been approved by the Attorney General of the State of Texas, as now provided by law.

All contracts for construction and equipment involving the expenditure of as much as Fifty Thousand Dollars (\$50,000.00) or more of the moneys herein appropriated shall be let by the Board of Control of the State of Texas according to all legal requirements now provided as to the letting of contracts by said Board.

Sec. 6. The sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) out of the total appropriation hereby made for the Texas Centennial, or so much thereof as may be necessary, is hereby appropriated and allocated to the planning, equipping and organization and management from the date this Act becomes effective (including the securing of materials, exhibits, funds and gifts from public and private agencies, individuals, patriotic and other organizations) of the Texas Memorial Museum, as a part of the Texas Centennial Celebration, funds for the construction of which are to be donated by individuals, public and private agencies, and by the American Legion Texas Centennial Committee of the State of Texas as sponsors, which museum building is to cost Seven Hundred and Fifty Thousand Dollars (\$750,000.00) when completed. Said museum building is to be located on the campus of the University of Texas in the

City of Austin, and the Board of Regents of the University of Texas is hereby constituted the board of directors of the museum, and as such shall have complete authority over the museum, including the expenditure of the sum herein appropriated and allocated for the purposes above mentioned. Provided however, this expenditure shall be on vouchers properly approved by the chairman of the Board of Regents and attested by the Secretary of said Board and shall be in accordance with the general provisions of law covering the issuance and payment of vouchers by the Comptroller and Treasurer, respectively, of the State of Texas. Provided that the appropriation made in this section shall be taken *parata* from the other specific allocations of funds made by other sections of this Act.

Sec. 7. All permanent buildings to be erected in the City of Dallas for the Central Exposition shall be erected out of the funds herein authorized and shall be upon the site of the Centennial Central Exposition in the City of Dallas on land, the title to which shall be in the State of Texas. The Texas Centennial Central Exposition and the Texas Centennial Commission shall have the right to, possession of, and the free use and occupancy of the said buildings for the duration of the Central Exposition. Provided however, that the aforesaid buildings and the land on which they will be situated are hereby leased by the State of Texas, to the City of Dallas, for a period of twenty (20) years, commencing at the termination of the Central Exposition, at a rental of One Hundred Dollars (\$100.00) per year for each said buildings, payable annually in advance. During the term of such lease said buildings shall be used for public purposes, including annual State expositions, and shall not be maintained or operated for purposes of profit; there shall be no charge imposed upon any exhibitor in any of said buildings for exhibit space, and there shall be no admission charge for spectators. The cost of an adequate amount of fire and tornado insurance covering said buildings, and the reasonable cost of maintenance of said buildings, shall be paid by the State Centennial Exposition, a corporation, until the termination of said Central Exposition. From and after that date the cost of such in-

surance and such maintenance shall be borne by the aforesaid lessee, being the City of Dallas.

Sec. 7-a. It shall be unlawful for any member of the Centennial Commission or any member of the Centennial Commission Advisory Board to charge, receive or obtain, directly or indirectly, any fee, commission, retainer, or brokerage, out of any fund or funds received by the Centennial Commission; and no member of the Centennial Commission or the Centennial Commission Advisory Board shall have any interest in any land, materials, concessions or contracts sold to or made with either the Centennial Commission or the Centennial Commission Advisory Board or any individual or committee represented by any member of said Commission or Advisory Board. Violation of this provision shall be a misdemeanor, and violation thereof shall be punishable by removal from such Commission or Advisory Board and by fine of not less than One Hundred Dollars (\$100.00) or six (6) months confinement in jail or by both such fine and jail sentence.

Sec. 8. All funds expended under this Act shall be drawn from the Treasury of the State of Texas by warrants properly signed by the Comptroller of Public Accounts and the Treasurer of the State, as is now provided by law.

Sec. 8-a. Fifty per cent (50%) of the net receipts received from all sources by the Texas Centennial Central Exposition at Dallas after paying all debts of said exposition, including the corporation bond issue which shall never exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00), as is now provided in the corporation's trust indenture, shall be paid into the Treasury of the State of Texas for the benefit of the General Fund; said payment into the State Treasury shall be made within six (6) months after the official closing of the Central Exposition at Dallas. By net receipts is meant all profits arising from admissions, concessions, privileges, rentals, leases, and any and all other sources from which any funds may be derived. The said Central Exposition Corporation shall keep an accurate record of all receipts received as a result of said Centennial celebration and of all expenditures, and that within six (6) months from the official closing of said exposition said corporation

shall cause to be furnished and filed with the Treasurer of the State of Texas a certified public audit showing the complete condition of the affairs of said corporation; and said report shall be accompanied by a certified check for an amount equal to fifty per cent (50%) of the net profits.

Sec. 9. It is understood and expressly provided that should any section, clause, or provision of this Act be hereafter held invalid for any reason, such invalidity shall not in any way affect any other provision of this Act.

Sec. 10. The fact that a very brief time now remains for said Texas Centennial Commission to prepare for the holding of a Texas Centennial Celebration of a scale commensurate with the glorious history of our State, the patriotism of our people, and the progress of the past century, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule which requires all bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

DeBERRY.

Amend H. B. No. 11 by striking out all above the enacting clause and inserting in lieu thereof the following:

#### A BILL

#### To Be Entitled

An Act making appropriation for the establishment, operation and maintenance of the Texas Centennial (including the Texas Centennial Central Exposition and other celebrations), for the period beginning February 1, 1935, and ending December 31, 1936; providing that this Act shall supplement the Act passed by the Second Called Session of the Forty-third Legislature creating the Texas Centennial Commission, and that this Act repeals such parts of said former Act as are in direct conflict with it; providing for Centennial celebration in Texas during 1936 at historical places to be determined by Texas Centennial Commission; defining "celebration," thereby indicating modes of such celebrations; creating Advisory Board of Texas Historians; prescribing said Board's duties; specifying factors

which Texas Centennial Commission shall consider in deciding where celebrations shall be held; empowering Texas Centennial Commission with final decision as to such celebrations and expenditures therefor; allocating said appropriation in specific sums to the erection of buildings on Centennial Central Exposition site and to equipping such buildings and to other celebrations authorized by Texas Centennial Commission and to general administrative expenses and to a national advertising campaign; and directing the expenditure of such allocated sums; providing the erection of permanent buildings costing in excess of Fifty Thousand Dollars (\$50,000) each on lands not owned by the State of Texas; providing for erection of such buildings from such appropriation on the Centennial Exposition site in Dallas and for the equipping of the Texas Memorial Museum on the campus of the University of Texas and authorizing the Regents of the University of Texas to expend the funds so allocated; and for free occupancy of such buildings during the Central Exposition, a corporation, and Texas Centennial Commission; leasing such buildings and their sites to the City of Dallas for twenty (20) years; specifying rental therefor and repealing use of such building during such lease for public purposes including annual State Expositions, and providing that during such lease exhibit space therein and admission thereto shall be free; providing for insurance and maintenance of said buildings and payment therefor; providing when the moneys herein appropriated shall be available; providing that Texas labor and materials shall be used and there shall be no discrimination against other cities in favor of Dallas; nothing shall repeal existing legislation requiring repayment of One Hundred Thousand Dollars (\$100,000) heretofore appropriated for the use of the Centennial Commission; that the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature shall apply to wages paid for construction made in the use of funds appropriated; that no person shall receive out of State funds a salary or commission or

other compensation of more than Five Thousand Dollars (\$5,000) per annum; that no member of the Commission shall receive any fee, commission, retainer or brokerage out of any fund or funds received by that Commission or shall have any interest in any land, concession or contract sold to or made with the Commission; providing a penalty for violation of this Section; that all titles to land acquired by the State shall be approved by the Attorney General; that all contracts involving Fifty Thousand Dollars (\$50,000) or more shall be let by the Board of Control; providing that fifty (50) per cent of the net profits received from all sources shall be paid into the Treasury of the State of Texas; providing for the drawing of funds expended under this Act on warrants as provided by law; providing that if any section of this Act, or any provision thereof, be held invalid, it shall not affect the remaining sections or provisions, and declaring an emergency.

DeBERRY.

#### Motion to Adjourn.

Senator Van Zandt at 5:00 o'clock p. m., moved that the Senate adjourn until 10:00 o'clock a. m., Monday.

#### Adjournment.

The motion prevailed by viva voce vote.

### APPENDIX.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, March 29, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 97 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, March 28, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 467, A bill to be entitled "An Act providing for the establish-

ment of a tuberculosis sanatorium for negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing for its location; the acquisition by the State of land therefor, and the approval of the title to the land; authorizing the State to accept donations for said purpose; prescribing the kind, character and capacity of buildings to be erected thereon; prescribing the rules and regulations governing the conduct and operation of said sanatorium, and governing the admission of patients thereto and their classification and care; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, of whom was referred

H. B. No. 692, A bill to be entitled "An Act declaring it to be unlawful to sell, barter or exchange minnows in the counties of McCulloch, San Saba, Gillespie, Llano, Kendall, Blanco, and Lampasas, wherein such minnows are caught, seined or taken; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

SHIVERS, Chairman.

#### Committee Amendment.

Amend H. B. No. 692 by adding an additional section to be known as Section 1-a to read as follows:

Sec. 1-a. "It shall hereafter be unlawful for any person to seine and/or possess any minnows in the counties named in Section 1, hereby for the purpose of sale; the possession of more than five hundred (500) minnows shall constitute prima facie evidence that such minnows are possessed for the purpose of sale."

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 818, A bill to be entitled "An Act declaring it unlawful for any person to kill wild fox or to take or have in his possession for barter or sale the pelts of wild fox after the passage of this Act, for a period of five (5) years in the County of Kaufman, State of Texas; providing a penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 791, A bill to be entitled "An Act to prohibit the taking of fish from the fresh waters of Comal County by any means or device other than by ordinary pole and line, or throw line, or trot line with hooks not less than six (6) feet apart, except by the use of artificial bait; fixing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 778, A bill to be entitled "An Act prohibiting the use of a steel trap, snare or deadfall; the taking of the pelt of a fur-bearing animal; the offering for sale the pelt of a fur-bearing animal, or the possession of a fur-bearing animal dead or alive in Shelby County for a period of two (2) years following the passage of this Act; providing a penalty; repealing all laws in conflict with this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin Texas, March 26, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 771, A bill to be entitled "An Act providing for the taking of fish from the fresh waters of Grayson County, Texas, and making it unlawful to take any such fish except by ordinary hook and line or by seine or net, the mesh of which is less than one and one-half inches square; providing that seines and nets may be used only during August, only for propagation purposes under supervision of Game Warden; providing for seining for bait; making it unlawful to take or possess fish for purpose of sale; fixing penalties; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 754, A bill to be entitled "An Act prohibiting the taking or possession of any squirrel or quail in Shelby County for a period of two (2) years following the passage of this Act; providing a penalty; repealing all laws in conflict with this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 753, A bill to be entitled

"An Act to make it unlawful to take, hunt, trap, shoot or kill any deer, wild turkey or wild quail of any species, for a period of three (3) years in McCulloch and Coleman Counties, Texas; fixing penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 712, A bill to be entitled "An Act declaring a two (2) year closed season on wild fox in certain counties; making it unlawful to take or kill by trap, snare or deadfall, any fur-bearing animals except opossum in certain counties; providing for the enforcement of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 426, A bill to be entitled "An Act declaring a closed season for a period of five (5) years in which it shall be unlawful to hunt, take or kill quail and prairie chicken in the Counties of Lipscomb and Hemp-hill; fixing penalties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 406, A bill to be entitled "An Act to prohibit the hunting,

trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the counties of Jasper and Newton, State of Texas, for a period of three (3) years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 388, A bill to be entitled "An Act adding a new article to the Revised Civil Statutes of Texas, 1925, to be known as Article 6954-a providing a method for holding elections to determine whether turkeys shall be permitted to run at large in political subdivisions of Guadalupe County; providing that if the free holders of any such political subdivision determine, at an election called for the purpose, to prevent turkeys from running at large in such County, the provisions of Articles 6957 to 6971, inclusive, shall be applicable thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 386, A bill to be entitled "An Act declaring it unlawful for any person to kill, take or have in his possession for barter or sale after the passage of this Act, for a period of five (5) years, any wild fox or the pelts thereof in the Counties of Bastrop and Panola, State of Texas, and providing a penalty therefor."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 385, A bill to be entitled "An Act prohibiting the hunting, trapping, ensnaring or killing of any wild deer, buck, doe, fawn or wild turkey within the limits of the County of Bastrop, State of Texas, for a period of five (5) years from and after the passage of this Act, and providing a penalty therefor."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 375, A bill to be entitled "An Act providing that beaver may be taken in Val Verde County during the month of January and their pelts disposed of in conformity to the laws of this State; providing a penalty; repealing all laws, insofar as they conflict with any provision of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 341, A bill to be entitled "An Act declaring a closed season on wild fox in Cooke County for a period of five (5) years; providing a penalty for violation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 294, A bill to be entitled "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five (5) year closed season on wild fox in Robertson County; providing a penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, March 26, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

S. B. No. 457, A bill to be entitled "An Act making it lawful to kill squirrel in Lee County at any time; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

#### Minutes of Committee Meetings.

Minutes of Committee on Mining,  
Irrigation and Drainage, Held  
March 25, 1935.

#### Called Meeting.

Present: Regan, DeBerry, Hill, Holbrook, Neal, Small, Stone and Burns.

Absent—excused: Hopkins, Blackert and Van Zandt.

S. B. No. 334, was reported favorably with committee amendment by the following vote: Yeas Regan, Holbrook, Neal, Small, Stone, Burns; Nays: DeBerry; Present—not voting: Hill.

ORVALEA WILLBANKS,  
Secretary.

**Minutes of Game and Fish Committee, Held March 29, 1935.**

Present: Shivers Chairman, Holbrook, Small, Cotten, Oneal, Pace Redditt and Sulak.

House Bills Nos. 294, 341, 375, 385, 386, 388, 406, 426, 692, 712, 753, 754, 771, 778, 791 and 818, and S. B. No. 457 were reported out of the committee favorably by viva voce vote.

HAZEL AVERY, Secretary.

**FORTY-FOURTH DAY.**

Senate Chamber,  
Austin, Texas,  
April 1, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

**Motion to Suspend Rule.**

Senator Cotten moved to suspend the Constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—24.

Beck.	Neal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent.

Blackert.	Poage.
Hopkins.	Sulak.

Absent—Excused.

Oneal. Fellbaum.

**Senate Bill No. 475.**

By Senator Cotten:

S. B. No. 475, A bill to be entitled "An Act creating the Special Third District Court of Anderson County, Henderson County and Houston County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a Judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Third Judicial District Court to said Special Third District Court and from said Special Third District Court to the District Court of the Third Judicial District; providing for the appointment of an Assistant District Attorney to prosecute cases in said court, making an appropriation for his salary, and providing that the District Attorney of the Third Judicial District and his Assistant shall represent the State in all cases wherein the State of Texas is a party in said Special Third District Court; etc., and declaring an emergency."